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9 Attorneys for Defendants.

10 RECEIVED

11 MAY 19 2005

12 IN THE UNITED STATES DISTRICT COURT

13 CLERK, U.S. DISTRICT COURT  
14 DISTRICT OF MONTANA  
15 BILLINGS, MONTANA

16 FOR THE DISTRICT OF MONTANA

17 BUTTE DIVISION



18 MAGTENASSET MANAGEMENT  
19 CORPORATION,

Case No. CV-04-26-BU-RFC

CE - 486

20 Plaintiff,

21 v.

22 MOTION OF THE DEFENDANTS  
23 TO TRANSFER OR, IN THE  
24 ALTERNATIVE, STAY ACTION

25 MIKE J. HANSON and ERNIE J. KINDT

26 Defendants.

27 Defendants, through their attorneys of record, Browning, Kaleczyc, Berry & Hoven, P.C.  
hereby move this Court for an order to transfer this case to the United States District Court for  
the District of Delaware pursuant to 28 U.S.C. §§ 1334 and 1404 as a matter related to a  
bankruptcy case pursuant to 28 U.S.C. § 1409; or, in the alternative, Defendants move that this  
action be stayed pending resolution of related proceedings in the District of Delaware. The  
factual and legal grounds for this Motion are set forth in Defendants' Memorandum, Exhibits  
and Affidavits which will be filed within 5 days pursuant to L.R. 7.1(c).

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1 Counsel for Plaintiffs have been contacted and they oppose this Motion.

2 DATED this 17 day of May, 2005.

3 BROWNING, KALECZYC, BERRY & HOVEN, P.C.

4  
5 By 

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14 Attorneys for Defendants.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of May, 2005, a true copy of the foregoing was mailed by first-class mail, postage prepaid, addressed as follows:

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